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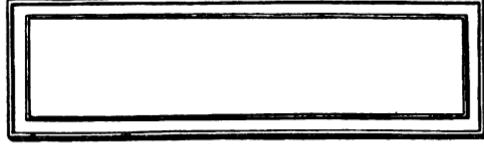
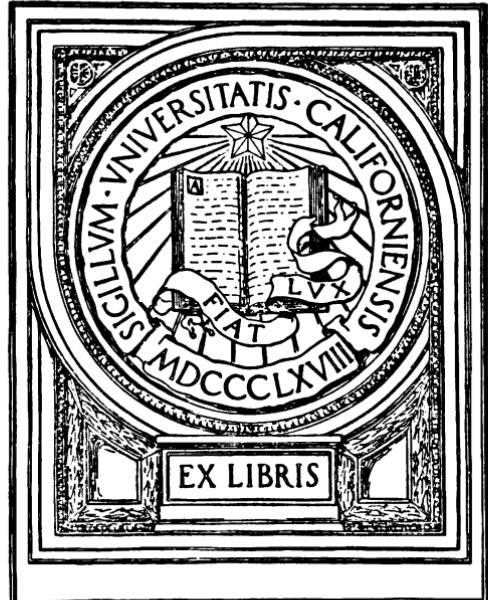
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DISCOURSE,

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THE RECENT DUEL IN WASHINGTON;

By HENRY WARE, Jr.

THE LAW OF HONOR.

A

DISCOURSE,

OCCASIONED BY

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PROVERBS xx. 3.

IT IS AN HONOR FOR A MAN TO CEASE FROM STRIFE.

It is said by a distinguished author, in a work which is one of the manuals of classical education, that "the rules of life by which men are ordinarily governed" are the Law of Honor, the Law of the Land, and the Law of God.* It is the object of religious institutions and instruction to uphold the last of these as the supreme and universal rule. In doing this, it is sometimes necessary to bring the other two into a comparison with it, as standards of duty and right. There ought to be no opposition between the law of the land and the commandment of God, and no contradiction to either of them in the sentiment of Honor. And it is especially important to show with respect to the last, which is

* See the opening passage of Paley's "Moral and Political Philosophy."

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an ever present sentiment in a refined community and fills the atmosphere of social life, that it is, when properly considered, identical with that sense of right which is the Divine law ; so that the man of true Honor is the man of scrupulous Virtue.

This is rather to be done, because the principle of Honor is more likely, than regard for the law, to become the guide of men of the world. It hardly occurs to them to refer to the statute book for restraint or direction ; while that prompt feeling of regard to the prevalent judgment of the community respecting character, which marks the sense of honor, is always present and operative. The anxiety to stand well in the estimation of the world, the fear of singularity, the dread of disgrace, is so strong, that men are often led thereby, in opposition to their judgment and inclinations, to do what others propose, lest by those others they should be held in less esteem.

A principle so powerful and active demands to be occasionally scrutinized. It should be sometimes brought up to the sanctuary, to be rectified and adjusted by a comparison with the perfect standard of human character there held up. Let us attempt this to-day. Let us look at this sentiment of Honor ; let us discriminate the true

from the false, and show their relation to Divine and human law.

The word HONOR, in its original idea, signifies *respect*, or *praise*. It is that tribute of good opinion, which attends a character thought to be commendable. It is the external expression of the respect which is conceived to be due. Thus the Apostle says, “Honor all men”; show them that respect, which, as partakers of human nature, belongs to them. “Honor the king”; show him that respect, which, as holding such a position in society, is due to him. “Honor is not seemly for a fool”; it is not suitable to pay respect to an individual of this description. Such was the original application of the word,—the expression of that respect which is due to character or station. Now, to deserve and receive such a testimony is one of the strongest desires of man; and hence, by an easy transition, the word came to be applied to the sense of desert or of character in the individual judged, as well as in him that judges; and he is called a man of honor, who is alive to this sense of character and conducts himself consistently with it. Perceiving desert in another, we pay him honor; perceiving it in himself, he claims honor.

Hence, as only real desert should receive the

homage of respect, the man of true honor is the man of real desert ; the man, who has this sense of character because he is conscious that his integrity of purpose and uprightness of life give him a claim to the honor which is always rendered to such a character ; who cannot be guilty of a wrong or an unkind action, because he would thereby in his own eyes, — no matter how it might be in the eyes of others, — in his own eyes, he would forfeit that high claim. He cares less for the judgment which men actually pass upon him, than for that which he knows they ought to pass. His sense of honor is sense of desert, rather than desire of reputation.

Proceeding from this origin, it will appear, that the characteristic ideas comprised in the sentiment of honor are, *self-respect and respect for others*. When we say, that one is “a man of honor,” in preference to calling him “a man of integrity or virtue,” it is because our attention is particularly drawn to these traits ; he is distinguished for his self-respect and his respect for other men.

Such a character is marked by generosity and manliness. The idea of meanness is especially excluded. It is inconsistent with self-respect. A proper self-respect cannot be mean ; it cannot en-

dure the consciousness of concealment ; it cannot bear the consciousness of obliquity in purpose, selfishness in motive, or unfairness even in thought ; and, while it stands so far on its rights as to expect and claim from others a decorous and respectful demeanor, it is yet more scrupulous to render it to them. Such a man, valuing himself on the dignity of his nature, which others have in common with himself, conducts himself toward them as he desires that others should do toward him, in the spirit of the Apostolic injunction, “ Honor all men.” He thinks himself less disgraced by its omission on their part, than on his own. He is rather ready to defer to others, agreeably to the other injunction, “ In honor preferring one another.” He yields, in this spirit of mutual respect, he yields something to his fellows beyond what he thinks it necessary to insist on receiving. It is thus a generous spirit ; it always consults the feelings of others ; desires their happiness, guards their reputation ; shuns wrong toward any one as the first disgrace ; strives for right as the chief honor.

Taken in this sense, the sentiment in question is a suitable one for man, and seems to have been designed in his constitution as one of the guardians of his virtue. When thus enlisted on the

side of right, it becomes a high instinct, prompting to spontaneous rectitude, and causing an intuitive shrinking from whatever is unworthy and base. It contradicts no law of man, and is in harmony with the law of God.

But at the same time, from its intimate connexion with what is personal in interest and feeling, it is greatly exposed to degenerate into a false and misguiding sentiment. And so it has in fact happened. Connecting itself with the notions of character which prevail by chance in the community, rather than with the rule of right and of God, it has erected a false standard of estimate, and kindled a light that leads astray.

The process is something like this. The character of a man of honor is so valuable, that every one would willingly be thought to possess it; no man can bear to be thought destitute of it. Therefore it becomes important, that they who have it not should contrive to appear to have it; and hence a multitude of fictitious forms are invented, by means of which it may appear to be attributed to those to whom it cannot be justly ascribed. One would think the resort a pitiful one, but it is found to answer its purpose. The appearance passes for the reality, the name for the thing, the form for the substance; hereby credit is saved,

and society moves on satisfied with the plausible deception. Thus Honor comes to bear the same relation to Virtue, that politeness does to kindness ; it is its representative ; it keeps up the form and pretension when the principal is absent ; and, for all the ordinary purposes of the superficial social system of the world, it is accounted quite as good as that which it stands for. Where there is no real sympathy or good-will, Politeness takes its place, and keeps all smooth by its bland hypocrisy of manners ; and where there is no real Virtue, Honor takes its place, and makes all look fair by its plausible outside of decorum.

This then is the first objectionable trait in the world's law of Honor, as a rule of life ; *it is deceptive and superficial* ; it is a thing of appearance only, and not a reality. And from this, the descent is natural and easy, down to its next ill quality. Setting the value which it does on appearance, it finds the object of right gained, by *seeming* to be right ; then the heinousness of wrong may be avoided by concealing the wrong. The man has learned to act, not with a view to doing right, but with a view to reputation,—sometimes even for the appearance of having the reputation. If he secures this, he has gained his end. This he

may secure by hiding from view whatever would put it to hazard ; and so he allows himself in any private vices, yet retains his name. His name does not depend on what he is, but on what he seems ; he takes care to seem right, and is what he pleases to be. Thus he lives a life of infidelity to his domestic relations ; but accounts it no ill, so long as it is not known ; nay, though it perchance be known, so long as he is notwithstanding treated with respect. He is capable of deceit and falsehood ; yet is not any the less self-complacent in his delicate sense of honor, provided no one **CALLS** him a liar. Then indeed he starts up in proud self-defence ; he feels the stain like a wound ; the imputation is dishonorable ; — but the stain itself was not dishonorable so long as it was not remarked upon.

Thus it appears that a man of worldly honor may be guilty of a certain degree of baseness and crime without inconsistency and without compunction, if he have but the skill to keep it from being known. It is not wonderful that it should soon follow from this, that he may be guilty of certain sorts of baseness and crime *openly*, and yet not forfeit his reputation. And such is the fact. One may be a gambler to a certain extent, and actually ruin a friend and drive him to de-

spair,— yet no impeachment of his honor. He may be unprincipled in his expenditures, so that the poor whom he employs shall be unable to obtain of him their just dues ; he may revel in luxury, while defrauding the mechanics and tradesmen on whose ingenuity and toil he lives,— yet no impeachment of his honor. He may be a known debauchee, trampling on the most sacred rights and affections of his own home ; he may, by a process of deliberate, heartless cunning and fraud, bring down a humble beauty to hopeless disgrace and misery ; he may be, on a very trivial offence, the murderer of his friend ;— yet not one, nor all of these crimes, accompanied as they are with what is mean and base, takes from him his claim to be treated as a man of honor. He is treated as such. We could name the name of more than one such man, who is allowed to walk abroad in society, to mingle in its high circles, to hold a place among its high officers. Strip off his factitious mantle, and the mind regards him with loathing. Put his mantle on again,— and he is a man of honor ! } }

The spirit of wordly Honor is thus evidently characterized by *selfishness*. Its fundamental idea is a reference to what the world will think of *me* ; *my* reputation, *my* standing,— how are they

affected? what will secure them in the eyes of the world? Everything must give way to this paramount consideration. I must secure my own good name among those with whom I move, *come what may*. It is amazing what deeds are done in consequence! In the great world, the peace of families is violated, the confidence of those most loved is abused, and the interests one had sworn to support are abandoned. In lesser circles,—in a college, for instance,—the same principle leads a young man headlong to do what the spirit of his companions demands of him,—though he knows, that it is against the judgment of the friends and patrons whom he loves and depends upon, and will go nigh to break the heart of those who gave him birth. These considerations he learns to despise. So intensely selfish is this principle! sacrificing every thing else to its own morbid craving for the good opinion of the circle with which one chances to be connected.

It is equally distinguished for its *jealousy*. Selfishness is always jealous. It cannot have any thing of sincere and generous confidence in others. The man whose rule of life is, to refer every thing to its bearing on his own reputation, to weigh all the words and looks of other men with a view to discover whether they sufficiently ac-

knowledge his claims to consideration, acquires thereby an unreasonable sensitiveness of feeling, nourishes an uneasy spirit of jealous suspicion, is annoyed by slight causes, and offended by trifling inadvertences. Instances of this are familiar in the history of society, and have furnished abundant materials for the derision of the satirist. But ridicule is too light a weapon for what works so much woe. This wretched temper, uniting with the pernicious principle we are speaking of, impels to action. The passage is direct from Jealousy to Revenge. In the moral code of Honor, Revenge is a great virtue. It is the noblest achievement of a man, when offended punctilio is writhing under the wound of a word. Philosophers and moralists speak of revenge as a crime. The laws of God and of man forbid it as such. Civilization, as it has gained sway over man in its beneficent progress, has caused it to decline from use like other practices of a savage life. But, in the code of Honor, it still holds its place as a virtue. The law may punish the greater offences; kind feeling, philosophy and religion may forgive the less. But Honor prohibits forgiveness. It demands revenge. The offence may be real only to the diseased sensibility of excited jealousy; but its punishment must be actual and signal. It

is decreed in letters of blood. This is the only system of social economy from which the growing refinement of the world has expunged no portion of its sanguinary code.

Thus jealous and revengeful, it is not surprising that the system in question should be *despotic* also. Such tempers are always so. It rules with arbitrary, inexorable, uncompromising sway. It allows no wavering, no relenting, no appeal. The slave is not more entirely deprived of his right over his own limbs and labor, than the devotee of Honor is deprived of a right to his own judgment in all things within her province. The Inquisition was not more inexorable to its victims, than is the court of Honor to him who stands within its jurisdiction. He may have serious doubts respecting the morality of the course demanded of him; his more generous feelings, his conscience, his sense of responsibility to God, his obligations to those he loves, his dread of crime,—all may plead with him. But he is compelled to silence their affectionate and monitory appeals, and is led pinioned and blindfold to the end. He bears no ill-will to any one; he is sensible of no wrong, he has designed no wrong, he knows revenge to be a sin, and he starts from bloodshed as a crime. But of what avail these better sug-

gestions of his heart, these virtuous sympathies, this reviving sense of right, this awakened thought of God? He is in the hands of the ministers of Honor, and they allow him no retreat. He must go on by that rule which he has adopted. The terrors of disgrace and ruin await him if he draw back. And thus, willing or unwilling,—like a victim to the sacrifice,—he is led out and immolated on the altar at which he had been proud to worship.

This is the consummation to which the system leads. The Duel is its tribunal and its place of execution. Worthy close of the progress we have described! It is fit, that what began in meanness should issue in blood. It is consistent, that the end should be in an act, which no sophistry has yet been able to take away from under the definition of murder;—an act, which is distinguished from most of the murders punished by the hangman, only by a greater share of that deliberate preparation and cool purpose of mind, which go to make up the very definition and aggravate the guilt of that act;—distinguished from assassination, mainly, by the circumstance that the assassin does not expose his own life,—as if, by exposing two lives, I diminished the guiltiness of destroying one!—as if, by purposing both murder

and suicide, I escaped the sin of either ! A practice, also, which has been denounced by all governments in modern times ; which lies under the ban of express law in nearly every nation ; and which, after this exposure of its folly and wickedness, is able to offer in its defence no better a plea than that of custom and a certain traditional sense of honor ; — a plea so poor, that the Emperor Frederic the Great said, “ I DESPISE the arguments of those who seek to justify it.” That man of military science, than whom none can be named having better claim to decide such a question, was willing to pass upon the system the stigma of *cowardliness* ; thus taking from it its favorite plume of pride. And well he might. For it makes the great restraint on human conduct to be Fear. It binds men to observe the forms of mutual respect by an appeal to their fears. It does not say, Avoid to ill treat and defame, because it is wrong ; but, because you will put yourself in peril of a challenge ; and then it drives its disciple to the field, not by a persuasion that it is right, but by a fear of disgrace. Hence, it is not surprising, that some of the most punctilious observers of decorum in certain circles, should be regardless of it in others, and even become insolent toward those

from whom they do not fear the chastisement of blood, — sometimes even toward individuals of that sex, which is privileged to be exempt from the most distant hint of insult. And, when this is observed, we ask, what better can be expected of a rule, which builds, not on principle, but on fear? which assumes to make gentlemen and men of honor through the agency of the same low motive by which the slave is driven to his task?

And this system of selfishness, tyranny, and cowardice presumes to take precedence, among rational men, of the statutes of the commonwealth and the law of God!

It is difficult at any time, — it is especially difficult to-day, — to speak on this part of the subject as its dreadful solemnity demands. The criminality of that code of morals, whose court of justice is the field of single combat, is so mingled with folly, that one hardly knows in what character to approach it. But the recent catastrophe has alarmed the country; and every man, who has the opportunity, is called upon to give voice to the sentiments which Truth and Justice are impatient to utter, — to do something to vindicate the insulted community from the wrong which has been done it, — and to bring

to the test of Right and the Divine Law that system, whose 'bloody fruits we are witnessing ; — a system, as we have seen, unprincipled in its origin, selfish and jealous in its operation, revengeful and bloody in its end ; whose progress is over the violated laws of both God and man, and whose consummation is an act of unmitigated crime. Of such a system, at such a moment, in such a country as this, every man that has a voice should speak out the curse of earth and Heaven. In such a country, I say, — for, however it may be elsewhere, its atrocious inconsistency with the institutions and purposes of a free land renders its dominion tenfold insufferable here. What right have we here to a privileged class of law-breakers and criminals ? What have we to do with an aristocracy of felons and man-slayers ? Where is the warrant in our constitution for this new nobility of blood, this peerage of the dirk and the pistol ? Yet, to our shame, it exists ! If a common man, in a moment of sudden passion, revenges an insult with a blow, or dares his fellow to an immediate fight without weapons, and one falls a victim, the law steps in, the court is arrayed, and the unprotected, penitent, agonized sufferer is executed on the gallows. But, if two men in higher life, taking deliberate

and formal counsel of other men, *all of them under oath to guard the welfare of the republic,* go forth at mid-day to commit the foul offence, and one of them dies upon the spot,— the others return in safety to their seats as the guardians of the public weal, and the highest authorities of the Republic* pay honors to the remains of him who died in the act of violating its laws. Yet this purports to be a land of equal rights, where justice is impartially dealt out to the high and low! Who will purge it of this crying inconsistency? Who will wipe away these disgraceful wrongs?

The pulpit, beneath which so many young men sit while forming the characters by which they are to influence their country and their fellow men during many future years of active and public life, would be false to its momentous trust, if, at such a moment as this, it failed to lift its warning cry ; if it did not attempt to disabuse their minds of the delusive fascination with which the reckless spirit of worldly Honor is too often invested. The halls of learning, where philosophy teaches, and science utters truth, and Chris-

* Let it never be forgotten, to the honor of the Judges of the Supreme Court of the United States, that they refused to join in this gross impropriety.

tianity communicates the law of brotherhood and love, would be unworthy of their lofty place, if they did not resound with the proclamation, that all those great and deathless interests denounce and abhor the masked impostor, that under the name of Honor opens to the aspiring young the highway of sin and death. And therefore it is, that I have sought to tear away its disguise and expose its deformity ; therefore it is, that I would bring forward in its place the true Honor, founded in Right,—exercised in self-respect and respect for all,—faithful to all trusts alike,—fearing only God. Let the future men of our country hear, and make it theirs.

There is much in the aspect of the times to alarm the patriot and make the Christian sad. We have been accustomed to believe, that society is advancing, that man is becoming a more civilized and rational being, that religion has taken the world out from its semi-barbarous era, and secured to it the age of refinement and progress. The order of the age seemed to be onward, only onward, to the removal of social evils. Cruel and savage customs were disappearing, torture and the ordeal were gone, regard for human rights was becoming prevalent, the whole world seemed moving on with gifts of love for the wretched, the

captive, and the sinful, and the earth was echoing with the sounds of the triumphant march of humanity.

When, therefore, in such a state of things the quiet is broken by deeds of violence and strife, the evil is not only felt as a crime against morality and man, but it strikes the disappointed heart as a sin against the character of the times, as a dark omen of defeated hopes. When the peaceful supremacy of the laws is assailed by the irregular passions of the mob, and the sanguinary vengeance of self-constituted tribunals ; when the sacred harmony of the halls of legislation is interrupted by vulgar brawls ; when the presiding officer of a State assembly descends from his seat of honor to plunge a knife into the bosom of a member ; when a company from the supreme council of the nation step forth from their illustrious duties to settle a paltry dispute by the rifle ; — we feel, not only that the laws have been defied, and the honor of the Republic outraged, and treason committed against the majesty of the state, and a ghastly wound inflicted on the reputation of the country, — but that the dark ages are threatening to return upon us, that the barbarians are within our borders, that there is a conspiracy against the progress of man, and that we are to

wait yet longer than we trusted for the coming of the day, when mind shall triumph over brute force, and truth and right shall assume their full dominion.

But, though saddened, we may not despair. All is not lost. The promises of God cannot fail. Let the friends of man and the country be but true to themselves,—let them raise the alarm to the sleeping people, and summon them to the rescue of their fair inheritance,—and all shall yet be well. We may trust in God, that even the present dreadful calamity may be the instrument of good, by awaking to a sense of the danger those who else might have slept on. We may trust, and not doubt, that He will make the wrath of man to praise Him, and the remainder will restrain.

Therefore there is reason, that we seek to dispossess of its dominion the false principle which has wrought such evil, and to enthrone in its place that true and manly Honor, which is in agreement with the law of the land and of God. In that there is nothing barbarous or selfish, nothing jealous or revengeful, nothing inimical to the peace of individuals or the order of society. It is that spirit of self-respect and mutual respect, which is always generous, and always devoted to

the right. It rests upon the dignity of man as the creature of God. It makes His law, and not human opinion, the standard and rule; His praise, and not the praise of men, the great object of desire. It holds itself bound to give account of itself to Him alone. Therefore it cannot do wrong. It cannot injure or defame. It cannot be driven to violate truth, or conscience, or right. It cherishes peace with all men, and holiness, without which no man shall see the Lord.

In conclusion, one solemn conviction presses on our minds. Men may, if they will, think to select for themselves their principles of action and rules of life. They do it at their peril. They cannot, if they would, remove themselves from the obligation to live by the law of God. We are born beneath his government, and we cannot escape its jurisdiction. We have the teachings and institutions of the Gospel, and by them we shall be judged at the last day. There is no alternative. We cannot, if we would, live beneath any different government, or be judged by any other rule. Why then so anxious for the good opinion and the honor of men? Why so afraid of their ridicule or their censure? Let us rather say, with the Apostle, "It is a small thing to be judged of man's judgment; he that judgeth us is the

Lord." Let us especially listen to the words of Christ: " Fear not them that kill the body, and after that have no more that they can do ; but I will forewarn you whom ye shall fear ; — fear Him, who, after that he hath killed, hath power to destroy both soul and body in hell ; yea, I say unto you, **FEAR HIM !**"

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